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7 **UNITED STATES BANKRUPTCY COURT**

8 **DISTRICT OF NEVADA**

9 In re:	Case No. BK-S-18-13604-abl
10 DOMINIC JOSEPH MAGLIARDITI,	Chapter 7
11 Debtor(s).	<b>STIPULATION CONTINUING HEARING ON TRUSTEE'S MOTION TO SELL CAUSES OF ACTION FREE AND CLEAR OF ALL CLAIMS, ENCUMBRANCES, AND INTERESTS</b>
14	Old Hearing Date: June 12, 2019
15	Old Hearing Time: 9:30 a.m.
16	New Hearing Date: July 3, 2019
17	New Hearing Time: 9:30 a.m.

18 Shelley D. Krohn, Chapter 7 Trustee (the "Trustee"),<sup>1</sup> by and through her counsel  
 19 Schwartzer & McPherson Law Firm, Transfirst Group, Inc. f/k/a Transfirst Holdings, Inc.,  
 20 Transfirst Third Party Sales LLC f/k/a Transfirst Merchant Services, Inc., and Payment Resources  
 21 International, LLC, by and through its counsel Reese Marketos LLP, Francine Magliarditi, by and  
 22 through her counsel Cook & Kelesis, Ltd., and Dominic Joseph Magliarditi, by and through his  
 23 counsel Larson Zirzow & Kaplan, LLC (collectively, the "Parties"), hereby enter into this  
 24 Stipulation Continuing Hearing On Trustee's Motion To Sell Causes Of Action Free And Clear Of  
 25 All Claims, Encumbrances, And Interests ("Stipulation").

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28 <sup>1</sup> All capitalized terms have the meanings ascribed them in the underlying motion.

## RECITALS

WHEREAS, Dominic Joseph Magliarditi (“Debtor”) filed for voluntary relief under Chapter 7 of the Bankruptcy Code on June 20, 2018; and

WHEREAS, the Trustee is the duly appointed and acting Chapter 7 Trustee in the Debtor's bankruptcy case; and

WHEREAS, on May 13, 2019, the Trustee filed the Trustee's Motion To Sell Causes Of Action Free And Clear Of All Claims, Encumbrances, And Interests ("Motion"). The Motion is set for hearing on June 12, 2019 at 9:30 a.m.; and

WHEREAS, the Parties have agreed to continue the hearing on the Motion and the related Auction to July 3, 2019 at 9:30 a.m. For the avoidance of doubt, the continuance of the hearing on the Motion from June 12, 2019 to July 3, 2019 shall also extend the Auction and Bidding Procedures requested on pages 4 and 5 of the Trustee's Motion, including without limitation that the Auction shall be continued to the new hearing date, and also that the deadline for an Overbidder to tender the following items shall be extended to July 2, 2019, being the day prior to the new hearing/Auction date: (a) a cashier's check of \$7,000.00 as a deposit in order to bid, and (b) verifiable evidence of the financial ability to close; and

WHEREAS, nothing herein is intended or should be construed as waiving any arguments or objections Francine Magliarditi raised in her limited Opposition to the Motion [ECF No. 62]; and

WHEREAS, the Parties have agreed to extend the deadline to file a reply to any opposition to the Motion to June 27, 2019.

## STIPULATION

NOW, THEREFORE, in consideration of the foregoing, the Parties hereby stipulate as follows:

1. The hearing on the Motion shall be continued from June 12, 2019 at 9:30 a.m. to July 3, 2019 at 9:30 a.m.;

2. The continuance of the hearing on the Motion from June 12, 2019 to July 3, 2019 shall also extend the Auction and Bidding Procedures requested on pages 4 and 5 of the Trustee's

1 Motion, including without limitation that the Auction shall be continued to the new hearing date,  
 2 and also that the deadline for an Overbidder to tender the following items shall be extended to July  
 3 2, 2019, being the day prior to the new hearing/Auction date: (a) a cashier's check of \$7,000.00 as  
 4 a deposit in order to bid, and (b) verifiable evidence of the financial ability to close;

5. Nothing herein is intended or should be construed as waiving any arguments or  
 6 objections Francine Magliarditi raised in her limited Opposition to the Motion [ECF No. 62]; and

7. The deadline to file a reply to any opposition to the Motion shall be extended up to  
 8 and including June 27, 2019.

9 Dated: June 5, 2019.

Dated: June 5, 2019.

10 /s/ Jeanette E. McPherson

11 Jeanette E. McPherson, Esq.  
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/s/ Julie L. Sanpei

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 21 *Attorneys for Francine Magliarditi*

22 Dated: June 5, 2019.

Dated: June 5, 2019.

23 /s/ Matthew C. Zirzow

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 25 Zachariah Larson, Esq.  
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 37 *Inc., and Payment Resources International, LLC*